

**DAVID GERARD JEEP,** )  
) )  
**Plaintiff,** )  
) )  
**v.** ) **Case No. 4:09cv1858 TCM**  
) )  
**LYLE HENDERSON, et al.,** )  
) )  
**Defendants.** )

This matter is before the Court on the submission, without payment of a filing fee or request to proceed in forma pauperis, by Plaintiff of a handwritten civil complaint. The complaint is defective. First, the complaint is illegible, having been written in pencil and in very poor handwriting. Second, Plaintiff has neither submitted a motion to proceed in forma pauperis nor paid the statutory filing fee. As a result, the Court will order Plaintiff to correct these defects. If he fails to comply with this Order, the Court will dismiss this action without prejudice. Accordingly,

**IT IS FURTHER ORDERED** that Plaintiff shall redraft his complaint using the civil complaint form. Plaintiff is directed to either type the form or make his handwriting legible using an ink pen.

**IT IS FURTHER ORDERED** that Plaintiff shall either pay the statutory \$350 filing fee or properly complete the form motion to proceed in forma pauperis and financial affidavit.

**IT IS FINALLY ORDERED** that Plaintiff shall comply with this Order within thirty (30) days from the date of the Order. **Plaintiff is cautioned that failure to timely and properly comply with this Order shall cause this action to be dismissed without prejudice.**

Dated this 30th day of November, 2009.

/s/Thomas C. Mummert, III

THOMAS C. MUMMERT, III

UNITED STATES MAGISTRATE JUDGE